

| | | | |
|-------------------------------|-----------------|-----------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/758,002 | SUGANO, MASASHI | |
| | Examiner | Art Unit | |
| | Cheukfan Lee | 2622 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed October 4, 2004.
2. ☒ The allowed claim(s) is/are 19-25, now renumbered 1-7, respectively.
3. ☒ The drawings filed on 09 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Douglas Holtz on March 11, 2005. Mr. Holtz agreed to add limitations from canceled independent claim 1 to new independent claim 19 to clearly define the structure and function of the claimed image-reading apparatus so that claim 19 is patentably distinct from the prior art of record.

2. **Please amend claim 19 as follows:**

In claim 19, after "reading section," on line 9, start a new line and insert the subparagraph

-- a cover member which covers the static-document reading section and which is openable and closable with respect to the static-document reading section when the automatic document feeder is opened with respect to the dynamic-document reading section; --;

In claim 19, line 15, after "when the document", insert -- is --;

In claim 19, line 15, after "placed", delete "stationary"; and

In claim 19, line 21, after "reading section", insert -- when the automatic document feeder is opened with respect to the dynamic-document reading section --.

Art Unit: 2622

3. Claims 19-25 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The above amended claim 19 and its dependent claims 20-25 are allowable over the prior art of record, including Uto (U.S. Patent No. 5,373,352), because the prior art does not disclose controlling a start timing of light emission from a light source mechanism to prevent leakage of light to the outside of a document image reading apparatus having the specific apparatus component arrangement as claimed in claim 19, the apparatus comprising an ADF, a dynamic-document reading section for reading the image when the ADF is feeding the document, a static-document reading section for reading the image when the document is stationarily placed on the static-document reading section, a cover member which covers the static-document reading section and which is openable and closable with respect to the static-document reading section when the ADF is opened with respect to the dynamic-document reading section, the apparatus wherein when the document is stationarily placed on the static-document reading section to read the image on the document, the controller of the apparatus controls a starting timing of light emission from the light source mechanism, which is for irradiating light onto one of a dynamic document and a static document, such that substantially none of the exposing light emitted from the light source mechanism leaks outside through the dynamic-document reading section when the automatic document feeder is opened with respect to the dynamic-document reading section.

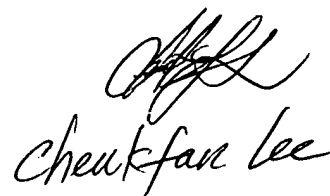
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
March 11, 2005



Cheukfan Lee